

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLES ONLEY,
Petitioner,

v.

**WALSH, Superintendent,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILA., PA, and
THE ATTORNEY GENERAL OF THE
STATE OF PA.,**
Respondents.

CIVIL ACTION

NO. 13-1914

ORDER

AND NOW, this 6th day of March, 2014, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Charles Onley, the record in this case, and the Report and Recommendation of United States Magistrate Judge M. Faith Angell dated January 30, 2014, no objections having been filed notwithstanding the passage of the time for filing objections, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge M. Faith Angell dated January 30, 2014, is **APPROVED AND ADOPTED**;
2. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Charles Onley, is **DENIED** and **DISMISSED** without an evidentiary hearing;
3. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and,

4. The Clerk of Court shall **MARK** this case **CLOSED**.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.